



1742

H8

C7

PATENT

9/16/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Takayuki SAKAI

Serial No.: 10/049,421

Group Art Unit: 1742

Filed: March 15, 2002

Examiner: Jannelle Morillo

For: NON-Cu-BASED CAST Al ALLOY AND
METHOD FOR HEAT TREATMENT THEREOF

RECEIVED
AUG 12 2003
GROUP 1700

CONFIRMATION OF TELEPHONE ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner in charge of the above-identified application telephoned applicant's representatives on August 6, 2003, to communicate a Restriction Requirement under 35 U.S.C. §121 among Group I, claims 1-5 and Group II, claims 6-9.

In response to that requirement, applicant's undersigned representative made a provisional election during a telephone conference with the Examiner on August 8, 2003 to prosecute the invention of Group I (i.e., claims 1-5) in this application. Applicant's undersigned representative hereby confirms that this

Serial No.: 10/049,421

provisional election was made with traverse, since no adequate basis therefor has yet been stated in the record.

Search and examination of the entire application can be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicant and unnecessary duplicative examination by the USPTO.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



Roger W. Parkhurst
Registration No. 25,177
Robert N. Wieland
Registration No. 40,225

August 8, 2003
Date

RWP:RNW/mhs

Attorney Docket No.: WATK:227

PARKHURST & WENDEL, L.L.P.
1421 Prince Street, Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220